

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAM J. GRADFORD,

Plaintiff,

v.

F. VELASCO and T. WEBSTER,

Defendants.

No. 1:20-cv-00543-NONE-EPG (PC)

ORDER DENYING MOTION FOR
SETTLEMENT CONFERENCE WITHOUT
PREJUDICE

(ECF No. 30)

ORDER FOR THE PARTIES TO FILE JOINT
STATEMENT CONCERNING A
SETTLEMENT CONFERENCE NO LATER
THAN AUGUST 17, 2021

ORDER GRANTING MOTION FOR COPY
OF ORIGINAL COMPLAINT

(ECF No. 35)

Plaintiff William J. Gradford ("Plaintiff"), is a former pretrial detainee proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. On February 16, 2021, Plaintiff filed a motion requesting a settlement conference. (ECF No. 30). On March 10, 2021, Plaintiff filed a motion requesting a copy of the complaint. (ECF No. 35).

With respect to Plaintiff's motion requesting a settlement conference, (ECF No. 30), the Court will deny the motion without prejudice for the reasons discussed on the record at the scheduling conference. However, the district judge will require a settlement conference before this case proceeds to trial. Therefore, the Court will order Defendants to file a statement no later

1 than August 17, 2021 indicating when they want to have a settlement conference before trial (to
2 the extent the matter is not otherwise resolved by dispositive motion).

3 With respect to Plaintiff's motion requesting signed statements attached to the original
4 complaint, (ECF No. 35), the motion requests that the Court provide Plaintiff with copies of
5 exhibits attached to his initial complaint. Plaintiff states that due to COVID-19, he does not have
6 access to a library or any other ability to obtain these documents. The Court will construe
7 Plaintiff's motion as requesting a free copy of his complaint.

8 Plaintiff is advised that the Clerk of Court does not ordinarily provide free copies of case
9 documents to parties. The Clerk charges \$.50 per page for copies of documents. See 28 U.S.C. §
10 1914(a). In this instance, in light of the fact that Plaintiff has shown a need for a copy as he has no
11 other, *see Spisak v. State of Nevada*, 2007 WL 1612293, *3 (D. Nev. June 1, 2007), and because
12 Plaintiff's complaint is not voluminous, the Court will make a one-time exception and provide
13 Plaintiff with a free copy of his original complaint. In the future, Plaintiff must retain a copy of all
14 documents submitted to the Court. Plaintiff will be required to pay for copies in the future.

15 Accordingly, IT IS HEREBY ORDERED that:

- 16 1. Plaintiff's motion requesting a settlement conference (ECF No. 30) is DENIED,
17 WITHOUT PREJUDICE;
- 18 2. No later than August 17, 2021, Defendants shall file a statement indicating when they
19 want to have a settlement conference before trial;
- 20 3. Plaintiff's motion requesting a copy of his complaint, (ECF No. 35), is GRANTED;
21 and
- 22 4. The Clerk of Court is directed to send Plaintiff a copy of his original complaint filed
23 on April 16, 2020, (ECF No. 1).

24
25 IT IS SO ORDERED.

26 Dated: March 11, 2021

27 /s/ Eric P. Gray
28 UNITED STATES MAGISTRATE JUDGE